

REMARKS

REJECTIONS UNDER 35 U.S.C. § 102

Claims 11-23 were rejected under 35 U.S.C. §102(b) as being anticipated by U.S. Patent No. 5,850,470 issued to Kung et al. (*Kung*). Claim 20 has been cancelled without prejudice. Thus, the rejection of this claim is moot. Applicant submits claims 11-19 and 21-23 are not anticipated by *Kung* for at least the reasons set forth below.

Claim 11, as amended, recites in a salient portion:

constructing an alternating decision tree (“ADTree”) database structure to hold the statistical summary, wherein the ADTree database structure provides dynamic pruning of less frequently used branches when system memory is low;

Column 3, lines 11-14 of *Kung* are cited as disclosing an alternating decision tree (ADTree) based on the Examiner’s interpretation that an alternating decision tree is merely a database storage. Applicant disagrees that an ADTree is merely a database storage. The Office action provides no basis in fact and/or technical reasoning to show that one of ordinary skill in the art would equate an ADTree database structure with a generic database storage. Applicant submits one of ordinary skill in the art would not equate an ADTree database structure with a generic database storage. Furthermore, Applicant’s specification describes, in an embodiment, an ADTree database structure having several features that are not necessarily included in a database storage. See paragraph [0057].

Kung fails to disclose the ADTree database structure recited in claim 11. In particular, *Kung* does not disclose an ADTree database structure that provides dynamic pruning of less frequently used branches when system memory is low. Thus, *Kung* fails

to disclose at least one limitation of claim 11. Therefore, Applicant submits claim 11 is not anticipated by *Kung*.

Claims 12-19 and 21-23 depend from claim 11. Given that dependent claims necessarily include the limitations of the claims from which they depend, Applicant submits claims 12-19 and 21-23 are not anticipated by *Kung* for at least the same reasons claim 1 is not anticipated.

CONCLUSION

For at least the foregoing reasons, Applicant submits that the rejections have been overcome. Therefore, claims 11-19 and 21-23 are in condition for allowance and such action is earnestly solicited. The Examiner is respectfully requested to contact the undersigned by telephone if such contact would further the examination of the present application.

Please charge any shortages and credit any overcharges to our Deposit Account number 02-2666.

Respectfully submitted,
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I hereby certify that this correspondence is being submitted electronically via EFS Web on the date shown below.

Date: November 27, 2007

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